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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 FACEBOOK, INC.

14 Plaintiff,

15 v.

16 CONNECTU LLC, (now known as CONNECTU
17 INC.) PACIFIC NORTHWEST SOFTWARE,
INC., WINSTON WILLIAMS, AND DOES 1-25,

18 Defendants.
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CASE NO. C 07-01389 RS

**AMENDED DECLARATION OF
SCOTT R. MOSKO IN SUPPORT OF
PLAINTIFF'S ADMINISTRATIVE
MOTION FOR FILING UNDER SEAL;
[PROPOSED] ORDER**

Date: May 16, 2007
Time: 9:30 a.m.
Dept.: 4
Judge: Hon. Richard Seeborg

1 I Scott R. Mosko, declare as follows:

2 1. I am a partner with the law firm of Finnegan, Henderson, Farabow, Garrett & Dunner,
3 L.L.P., counsel of record for Defendants Winston Williams and Pacific Northwest Software, Inc. in
4 the above-captioned matter. This declaration is based on my personal knowledge and, if called as a
5 witness, I could and would competently testify thereto.

6 2. The following materials designated in Plaintiffs Administrative Motion for Filing
7 Under Seal are highly confidential and sealable in their entirety:

- 8 • Exhibits E and I to the Declaration of Theresa A. Sutton in Support of
9 Facebook's Reply Memorandum for Expedited Discovery re Personal Jurisdiction
10 contain excerpts from depositions taken in the related matter of *Facebook, Inc. v.*
11 *ConnectU*, Superior court of California, Case No. 1 05 CV 0473281.

12 Exhibits E and I are deposition transcripts that were designated as Highly Confidential by
13 Defendants under the Stipulated Protective Order issued in the state court case.

- 14 • Exhibit H to the Declaration of Theresa A. Sutton in Support of Facebook's
15 Reply Memorandum for Expedited Discovery re Personal Jurisdiction was lodged
16 under seal on January 31, 2006, pending ConnectU's Motion to Seal in the related
17 matter of *Facebook, Inc. v. ConnectU*, Superior court of California, Case No. 1 05
18 CV 0473281.

19 Exhibit H is a brief that was filed under seal in the state court proceeding because it contained
20 quoted information from transcripts that were designated as Confidential under the Stipulated
21 Protected Order issued in the state court case.

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3. I declare under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Executed on May 9, 2007, at Palo Alto, California

Respectfully submitted,

Dated: May 9, 2007

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: /s/ Scott R. Mosko
 Scott R. Mosko
 Attorneys for Defendants Winston Williams and
 Pacific Northwest Software, Inc.

[PROPOSED] ORDER

Upon good cause shown, IT IS HEREBY ORDERED that the following documents remain filed under seal: Exhibits E, H, and I to the Declaration of Theresa A. Sutton in Support of Facebook's Reply Memorandum for Expedited Discovery re Personal Jurisdiction.

IT IS SO ORDERED

Dated: _____

Magistrate Judge Richard Seeborg